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BY HAND AND E-MAIL

Mr. Richard Weible, Director
OFFICE 8, AD/CVD ENFORCEMENT
U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

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cc: Mark Flessner (Room 3508)
OFFICE OF AD/CVD ENFORCEMENT

Julie al-Saadawi (Room 3713)
OFFICE OF POLICY

Re: *Product Exclusions in the Section 201 Investigation of Steel*
— Proposed Definitions for Selected Shipbuilding Profiles

Dear Richard:

On behalf of RAUTARUUKKI OYJ ("RAUTARUUKKI"), we respectfully submit the following proposed definitions for certain shipbuilding profiles which have been the subject of exclusion requests in the Section 201 investigation of steel.

On November 13, 2001, RAUTARUUKKI submitted a formal request to the U.S. TRADE REPRESENTATIVE to exclude the following special shipbuilding profiles from the scope of any remedy imposed as a result of the current steel investigation: (1) bulb flats; (2) T-bulb flanges;

(3) T-bulb profiles; (4) L-profiles; and (5) millimetric universal mill plate.^{1/} In a subsequent letter to the U.S. TRADE REPRESENTATIVE on January 15, 2002, RAUTARUUKKI pointed out that two of these products — T-bulb profiles and L-profiles — were already exempt as the result of a negative injury determination by the U.S. INTERNATIONAL TRADE COMMISSION (“COMMISSION”).^{2/} Further, RAUTARUUKKI explained that the other three shipbuilding profiles are not available from any domestic producer, and, therefore, no remedy was warranted with respect to these special products. Finally, on January 25, 2002, counsel for RAUTARUUKKI, along with representatives for CORUS, met with officials of the DEPARTMENT to discuss the exclusion requests for special profiles. The product definitions presented in this letter were prepared in direct response to a request from the DEPARTMENT during that meeting.

Based on discussions with RAUTARUUKKI’s technical experts, we respectfully submit the following definitions for bulb flats, T-bulb flanges, and millimetric universal mill plate. These definitions are intended to describe the physical characteristics of these products — as opposed to their end uses — in order to clearly identify them and distinguish them from other products.

- ◆ **Bulb Flats:** Special profile of nonalloy carbon steel, not further worked than hot-rolled, the longest side of which is 80 mm or more; characterized by a flat web of a width of 5 mm to 17 mm, inclusive, with a bulbed edge of a thickness of 15.5 mm to 62.5 mm, inclusive, and forming an angle of 30 degrees to the web; and certified and die stamped with the mark of a national shipbuilding classification society.

^{1/} See Letter from HOLLAND & KNIGHT LLP to the Honorable Robert B. Zoellick, U.S. TRADE REPRESENTATIVE, dated November 13, 2001, and exhibits thereto. A copy of the November 13 submission and accompanying exhibits is being forwarded as an attachment to the electronic transmission of this letter.

^{2/} T-bulb profiles have standard web heights from 350 to 1,000 millimeters, and they are classified under subheading 7301.20.1000 of the *Harmonized Tariff Schedule of the United States* (“HTSUS”). L-profiles have standard heights from 90 to 120 millimeters, and they are classified under HTSUS subheading 7216.40.0000. Thus, based both on the tariff classification and the physical description of these products, they fall within the COMMISSION’s product category of “Heavy Structural Shapes.” The COMMISSION made a negative injury determination in its investigation with respect to this product category. See Letter from HOLLAND & KNIGHT LLP to the Honorable Robert B. Zoellick, U.S. TRADE REPRESENTATIVE, dated January 15, 2002. A copy of that submission is also being forwarded as an attachment to the electronic transmission of this letter.

- ◆ ***T-Bulb Flange:*** Special profile of nonalloy carbon steel, not further worked than hot-rolled, of a proprietary trapezoidal cross-section with rounded edges of 5 mm radius and with dimensions of the parallel sides of 90 mm to 250 mm, inclusive, and of 20 mm to 30 mm, inclusive; with a thickness of 25 mm to 45 mm, inclusive; and certified and die stamped with the mark of a national shipbuilding classification society.
- ◆ ***Millimetric Universal Flat:*** Special millimetric profile of nonalloy carbon steel, not further worked than hot-rolled, of a height of 160 mm or more and a width of 8 mm to 50 mm, inclusive; and certified and die stamped with the mark of a national shipbuilding classification society.

As we noted in the meeting of January 25, we believe that the height dimensions of RAUTARUUKKI's bulb flats and T-bulb profiles — which are more than 80 millimeters — place these products within the category of “Heavy Structural Shapes” as defined by the COMMISSION. There is no commercial reason for these products to be classified otherwise.

We appreciate the opportunity to clarify the description of these products. If you have any questions concerning this information, please do not hesitate to contact the undersigned.

Respectfully submitted,

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Frederick P. Waite
Kimberly R. Young

Counsel for RAUTARUUKKI OYJ

Attachments (Electronically Only)